

**From:** [Lisle Traywick](#)  
**To:** [Moser, Sandra](#); [mbaker@softlights.org](mailto:mbaker@softlights.org); [Samuel Wellborn](#); [Katie Brown](#); [Grube-Lybarker, Carri](#); [Hall, Roger](#); [Rhaney, Donna L](#); [PSC LegalFilings](#)  
**Cc:** [PSC Contact](#)  
**Subject:** [External] RE: Baker Complaint (Docket 2022-155-E)  
**Date:** Wednesday, May 18, 2022 5:35:56 PM

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Ms. Moser,

Thank you for reaching out about this issue. Duke Energy Progress, LLC does not need the Commission to take action on its prior request to amend the procedural schedule at this time. We will address these issues in our responsive pleading filed in accordance with the deadline. We appreciate the Commission's time and attention to this matter. Have a nice evening.

Respectfully,

Lisle Traywick

-----Original Message-----

From: Moser, Sandra <[Sandra.Moser@psc.sc.gov](mailto:Sandra.Moser@psc.sc.gov)>  
Sent: Tuesday, May 17, 2022 3:24 PM  
To: [mbaker@softlights.org](mailto:mbaker@softlights.org); Samuel Wellborn <[sam.wellborn@duke-energy.com](mailto:sam.wellborn@duke-energy.com)>; Katie Brown <[katie.brown2@duke-energy.com](mailto:katie.brown2@duke-energy.com)>; Grube-Lybarker, Carri <[clybarker@scconsumer.gov](mailto:clybarker@scconsumer.gov)>; Hall, Roger <[RHall@scconsumer.gov](mailto:RHall@scconsumer.gov)>; Rhaney, Donna L <[DRhaney@ors.sc.gov](mailto:DRhaney@ors.sc.gov)>; PSC\_LegalFilings <[LegalFilings@psc.sc.gov](mailto:LegalFilings@psc.sc.gov)>; Lisle Traywick <[ltraywick@robinsongray.com](mailto:ltraywick@robinsongray.com)>  
Cc: PSC\_Contact <[Contact@psc.sc.gov](mailto:Contact@psc.sc.gov)>  
Subject: RE: Baker Complaint (Docket 2022-155-E)

Dear Parties of Record,

This email is in response to the letter from Duke Energy Progress, LLC dated May 10, 2022, which has not been addressed by the Commission until now.

In Duke's letter, the Commission received a request to issue a revised scheduling notice requiring the Complainant, Mr. Baker, to file his testimony first. The basis of Duke's request is the complexity of the allegations presented by Mr. Baker and the unique circumstances of the matter. The Company points out that Mr. Baker has filed the Complaint on behalf of an organization in Oregon, not an individual customer in South Carolina. Moreover, Duke expressed it is "unclear as to what the factual and legal issues are..and what relief Complainant seeks," citing S.C. Code Ann. Regs 103-824(A)(3)-(4).

In light of the Complaint filed by Mr. Baker (on behalf of Soft Lights Foundation) and Mr. Baker's other recent filings (supplemental documents filed on May 13, 2022 and May 16, 2022), which are pre-filed testimony and could constitute discovery requests and interrogatories, Commission staff now inquires if a revised scheduling notice is still necessary.

As you are aware, parties are entitled to supplement their responses as necessary in accordance with Commission rules. According to S.C. Code Ann. Regs 103-830, and as noted in Duke's letter, a respondent has 30 days from receipt of the Complaint to file and serve its answer. Duke's answer to Mr. Baker's Complaint is currently due on or before May 27, 2022.

If any party objects to the Commission moving forward with the existing procedural schedule, which is in compliance with S.C. Code Ann Regs. 103-842(C), please let us know by responding to all parties on this email. The current procedural schedule is as follows:

Duke Answer: May 27, 2022

Duke & ORS Direct Testimony: June 6, 2022 Complainant Responsive Testimony: June 13, 2022 Virtual Hearing:

August 24, 2022

Thank you for your attention to this matter.

Sincerely,  
Sandra

-----Original Message-----

From: Moser, Sandra

Sent: Thursday, May 12, 2022 1:47 PM

To: mbaker@softlights.org; Samuel Wellborn <sam.wellborn@duke-energy.com>; Katie Brown <katie.brown2@duke-energy.com>; Grube-Lybarker, Carri <clybarker@scconsumer.gov>; Hall, Roger <RHall@scconsumer.gov>; Rhaney, Donna L <DRhaney@ors.sc.gov>; PSC\_LegalFilings <LegalFilings@psc.sc.gov>

Cc: PSC\_Contact <Contact@psc.sc.gov>

Subject: Baker Complaint (Docket 2022-155-E)

Dear Mr. Baker and Parties of Record,

In response to your inquiry, and with your consent, we have attached your original Complaint in Docket No. 2022-155-E. Your Complaint, which was sent to the Commission via email can be found in the last two pages of the attachment. This is a copy of the Complaint which was sent to the utility.

In accordance with the Commission's Policies and Procedures, as well as state law, communications -- written or verbal -- related to a matter pending before the Commission must include all parties of record unless there is an exemption. In this matter, this communication must include the utility and the Office of Regulatory Staff. Although all parties to this matter are included on this email, the content of your complaint will not be shared to our docket management system.

Please let us know if you have any other questions.

Sincerely,  
Sandra

Sandra V. Moser  
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Public Service Commission  
State of South Carolina  
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Columbia, SC 29210  
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